

DO NOT PROCESS —

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mark J. EVANS et al.

Serial No. 08/487,283
(Now U.S. Patent 6,355,245)

Examiner: P. Gambel

Filed: 7 June 1995

Group Art Unit: 1644

For: C5-SPECIFIC ANTIBODIES FOR
THE TREATMENT OF
INFLAMMATORY DISEASES
(AS AMENDED)

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. § 1.322

The above patent issued on March 12, 2002. In reviewing the published application, Applicants have noted the following errors. It is requested that a Certificate of Correction be published to correct the errors listed below. Immediately following is an explanation of each error. A Certificate of Correction (form PTO/SB/44) is filed concurrently with this Request.

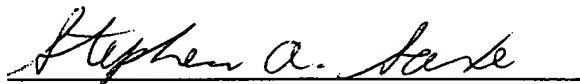
1. The issue fee for the instant application was paid on 31 October 2001. Concurrent with the mailing of the issue fee, Applicants mailed an Amendment Under Rule 312 requesting that the specification be amended to include a statement that priority was being claimed to U.S. Application Serial No. 08/311,489 filed on September 23, 1994. This additional claim of priority does not appear in the patent as published. It is requested that this be corrected.
2. The application was filed claiming priority to PCT/US95/05688 as a continuation-in-part. This was stated in the Preliminary Amendment filed June 7, 1995 and again in the Amendment filed May 11, 2001 which amended the continuing data. The published patent states that the application was filed as a "continuation", not as a "continuation-in-part", of the PCT application. It is requested that this error be corrected.
3. An Amendment filed 11 May 2001 changed the title of the application to "ANTIBODIES TO HUMAN COMPLEMENT COMPONENT C5". This title as amended was correctly shown on the Notice of Allowance and Issue Fee Due. The title on the published application is neither the title as amended nor the title as originally filed. It is requested that the title as amended be printed.
4. An Examiner's Amendment was made which was mailed 31 July 2001 with the Notice of Allowance and Issue Fee Due. One of the specific amendments was to amend page 33, line 35, by inserting after "KSSKC epitope" the phrase --(SEQ ID NO:1)--. The amendment was correctly stated by the Examiner but was not correctly printed in the published patent. It is

requested that the patent be corrected to conform to the amendment stated in the Examiner's Amendment.

5. The Sequence Listing as published in the printed patent has numerous errors in the numbering of the amino acid residues. This appears to be due to a problem of improper line wrapping. The numbering shown is different from that as shown in the Sequence Listing submitted for the application. This is an important point because the patent often refers to portions of the sequences by amino acid number. Additionally, the claims refer to specific portions of sequences; e.g., claim 19 refers to specific fragments of SEQ ID NO:8 based on amino acid position number. The numbering of amino acid residues in SEQ ID NO:8 is incorrect as published except for the first line of the sequence. The patent as published therefore is misleading and could cause one to misinterpret the claims. Additionally, certain sequences such as SEQ ID NO:2 begin with "pro" regions that are negatively numbered. The numbers are incorrect as published and it is impossible for someone who merely looks at that sequence to know where the proper numbering should be. Because of these problems, it is requested that the Sequence Listing be corrected as shown on the attached forms PTO/SB/44.

It is urged that each of the above cited errors is clearly disclosed in the prosecution of the patent application and that the errors are the fault of the U.S. Patent and Trademark Office. It is, therefore, urged that no fee is required.

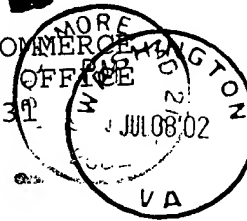
Respectfully submitted,



Stephen A. Saxe
Registration No. 38,609
Alexion Pharmaceuticals, Inc.
352 Knotter Drive
Cheshire, CT 06410
Tel. 203-271-8289

Docket No. 13 CIP CON

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231



13 CIP CON

U.S. OFFICIAL MAIL	
U.S. POSTAGE	
PENALTY FOR PRIVATE USE \$300	★ 00.23 ★ ★
H METER 508010	

A request for a Certificate of Correction has
been received for U.S. Patent 6355245

MARK FARBER
ALEXION PHARMACEUTICALS, INC.
352 KNOTTER DRIVE
CHESHIRE, CONNECTICUT

06410